

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

FILED BY _____ D.C.
2001 OCT -9 PM 3:49
CLARENCE MADDOX
CLERK U.S. DIST. CT.
S.D. OF FLA.-FTL

UNITED STATES OF AMERICA

Plaintiff,

CASE NO.: 00-6299 FERGUSON

vs.

JOSEPH PERMENTER,

Defendant.

MOTION TO RECONSIDER SENTENCE

COMES NOW, the Defendant, JOSEPH PERMENTER, by and through the undersigned counsel and moves this Honorable Court to reconsider the sentence imposed on September 21, 2001, and as grounds would state:

1. That on or about September 21, 2001, the Defendant admitted to a violation of the terms of his probation.
2. That the Government requested this Honorable Court to sentence the Defendant to the bottom of the guidelines or four (4) months incarceration.
3. That this Court extended the Defendant's probation and ordered him to enter a drug treatment program based on his limited prior criminal history and the fact that the alleged allegations all involved using drugs.
4. This Court asked the Defendant prior to sentencing if he would prefer to simply serve the four (4) months incarceration. The Defendant responded in the negative.

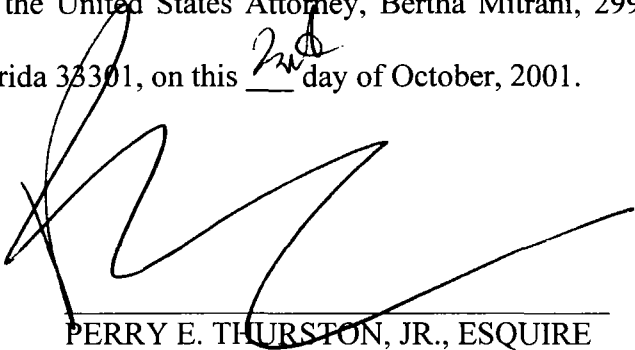
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5. On or about September 25, 2001, the Defendant contacted the undersigned and requested that he be allowed to accept the offer extended of four (4) months incarceration.

WHEREFORE, the Defendant respectfully requests this Honorable Court to grant this Motion and reconsider the sentence imposed on September 21, 2001.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been forwarded by Hand Delivery/U.S. Mail to the Office of the United States Attorney, Bertha Mitrani, 299 East Broward Boulevard, Fort Lauderdale, Florida 33301, on this 2nd day of October, 2001.

A large, stylized handwritten signature in black ink, appearing to read 'Perry E. Thurston, Jr.', is written over a horizontal line.

PERRY E. THURSTON, JR., ESQUIRE

Attorney for Joseph Permenter
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